

**From:** Nicolas Sterling  
**To:** Microsoft ATR  
**Date:** 1/23/02 11:35pm  
**Subject:** Microsoft Settlement

First, I must thank the DOJ for directing their energy toward Microsoft. I know it has been a hard battle.

I am a software developer. I believe that Microsoft has seriously damaged the industry through its practices. What they did to undermine the Netscape browser and the Java platform are clear examples, but there are others. I understand that Microsoft deliberately changed OS APIs to break applications which competed with their own. And the NT operating system would have died on the vine for lack of applications, except that Microsoft threatened to withhold its Windows seal from Windows application vendors that did not also make the applications work on NT. As a result, NT does exist and is now beginning to compete with various Unix flavors primarily because of those very apps which were made to work on both operating systems.

It is difficult for me to imagine what Microsoft would look like today without the accumulated benefits of their monopolistic practices, but I firmly believe that they would have a far smaller share of their markets, if any share at all. Other companies and products -- perhaps whole new classes of products -- would exist. Competition would have driven the market to produce better products, services, and prices for consumers.

I suspect that the total damage done to consumers is far greater than the value of Microsoft itself.

The settlement seems to be primarily about placing and enforcing restrictions on Microsoft to bring it into line -- that is, not very punitive. Yet I think that Microsoft, through its practices, has committed an intellectual terrorism of huge proportions. I believe that harsh punishment is warranted, and that without such punishment they are in effect encouraged to carry out whatever monopolistic practices they can get away with, and accrue the benefits in terms of revenue, market share, and weakened competition until such time as they are forced to stop.

I am concerned about Linux, which I believe to be a new target for Microsoft. I am also concerned about the emerging digital wallet arena. How can we expect Microsoft to behave, and how much damage with that cause?

It is clearly impossible to completely undo the damage done by Microsoft. But they should be discouraged from repeating their abuses.

Thank you for your time.

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